

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

CHRISTINE CUMMINGS,

Plaintiff,

v.

Case No. 6:19-cv-2010-Orl-37GJK

MNR RAMY, INC.; MNR
CONVENIENCE, INC.; and MOUNA
RAMY,

Defendants.

ORDER

Plaintiff moved for sanctions, including the entry of a default judgment against Defendants, and for reasonable costs including attorney's fees, on June 6, 2020 and again a month later. (Doc. 27, 28 (collectively, "**Sanctions Motions**").) On recommendation of U.S. Magistrate Judge Gregory J. Kelly, the Court granted the Sanctions Motion but referred the matter back to Judge Kelly for a determination of amount. (Docs. 29, 30.) Plaintiff then filed a motion for damages and attorneys' fees. (Doc. 34 ("**Fees Motion**").) On referral, Judge Kelly recommends granting the Fees Motion in part, awarding \$20,250 in damages, \$20,017.50 in attorneys' fees, and \$640 in costs. (Doc. 35 ("**R&R**").)

The parties did not object to the R&R, and the time for doing so has now passed. So the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the R&R is


adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Gregory J. Kelly's Report and Recommendation (Doc. 35) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. Plaintiff's Motion for Sanctions (Doc. 27) is **GRANTED**.
3. Plaintiff's Second Motion for Sanctions (Doc. 28) is **GRANTED**.
4. Plaintiff's Motion to Quantify Damages and Expenses, Including Attorney's Fees (Doc. 34) is **GRANTED IN PART AND DENIED IN PART**:
 - a. Plaintiff is **AWARDED** \$20,250.00 in unpaid overtime wages and liquidated damages under the Fair Labor Standards Act ("FLSA").
 - b. Plaintiff is **AWARDED** \$20,017.50 in attorney's fees under the FLSA.
 - c. Plaintiff is **AWARDED** \$640.00 in costs.
 - d. In all other respects, the Fees Motion is **DENIED**.

DONE AND ORDERED in Chambers in Orlando, Florida, on November 6, 2020.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record